

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KEITH JENNINGS,

Plaintiff,

v.

9:01-cv-0177

UNITED STATES OF AMERICA,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

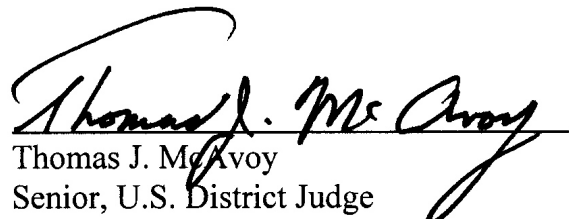
DECISION and ORDER

Plaintiff commenced the instant action challenging the seizure of certain currency. The relevant background facts are set forth in Magistrate Judge Peebles' Supplemental Report and Recommendation dated March 21, 2005. As is relevant hereto, law enforcement agents seized \$6,152.00 from Plaintiff's car. As a result of his criminal conviction (98-cr-418), however, Plaintiff was subject to a judgment of forfeiture in the amount of \$1.5 million. In the criminal case, the government moved to forfeit the \$6,152 as a substitute asset in partial satisfaction of the \$1.5 million judgment of forfeiture. By Order dated February 2, 2007, this Court granted the motion to substitute assets.

In light of the disposition of the government's motion to substitute the \$6,152.00, the instant civil proceeding is moot. Accordingly, the Complaint in this matter is DISMISSED. The Clerk of the Court shall close the file in this matter.

IT IS SO ORDERED.

Dated: February 6, 2007


Thomas J. McAvoy
Senior, U.S. District Judge